

## Message Text

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12

ACTION L-03

INFO OCT-01 EUR-12 ISO-00 EB-07 COME-00 TRSE-00 CIAE-00

INR-07 NSAE-00 STR-04 SCS-03 SCA-01 H-02 SSO-00

NSCE-00 SS-15 NSC-05 INRE-00 ( ISO ) W

----- 098635

O R 240909Z SEP 75

FM AMEMBASSY NICOSIA

TO SECSTATE WASHDC IMMEDIATE 2385

INFO AMEMBASSY ANKARA

AMEMBASSY ATHENS

AMEMBASSY LONDON

LIMITED OFFICIAL USE NICOSIA 2854

E.O. 11652: N/A

TAGS: CPRS,CY, PFOR, TU, US

SUBJ: GSP ELIGIBILITY AND OUTSTANDING TRADE ACT 502 (B) (4) CASES

REF: STATE 225697

1. RESPONSES BELOW ARE KEYED TO REFTEL PARAGRAPHS:

A. NO RECENT DEVELOPMENTS IN 23 COMMERICAL CASES. EMBASSY NOTES THAT U.S. COMPANIES HAVE FOR MOST PART GIVEN UP ACTIVE PURSUIT OF REQUESTS FOR PROTECTION, VISITATION OF OR RETURN OF PROPERTIES. TURKISH AUTHORITIES ARE GIVING NO RPT NO INDICATIONS WHICH WOULD ENCOURAGE IDEA THAT CLAIMS WILL BE CONSIDERED BY THEM IN THE NEAR FUTURE OR AT LEAST PRIOR TO A POLITICAL SETTLEMENT.

B. NO INFO ON CURRENT STATUS OF COMMERCIAL PROPERTIES. INFORMAL INSPECTION MENTIONED NICOSIA 1480, PARA 2B, CONCERNED PRIVATE PROPERTIES ONLY.

C. WE DO NOT HAVE RECENT INFO ON DIRECT CONTACTS BETWEEN COMAPNIES AND TFSC/GOT. AS NOTED PARA A ABOVE, MOST COMPANIES APPEAR TO HAVE GIVEN UP ACTIVE PURSUIT OF CLAIMS.

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D. LIMITED NUMBER OF INSPECTIONS OF REAL PROPERTY OF

AMCITS REVEALS THAT IN MAJORITY OF CASES HOMES ARE OCCUPIED BY TURK CYPRIOTS WHO HAVE MOVED NORTH FROM THE SOUTH. MOST HOMES FROM OUTSIDE VISUAL INSPECTION ARE IN GOOD CONDITION.

E. DIRECT GOT/TFSC RESPONSIBILITY FOR REQUISITIONING OR OTHER SEIZURE OF AMCIT PERSONAL PROPERTY IS INDICATED BY FACT THAT GOT/TFSC TOOK FEW IF ANY EFFECTIVE MEASURES TO CONTROL WIDESPREAD LOOTING OF PERSONAL PROPERTIES (MOVABLES). FURTHER, TFSC HAS APPARENTLY PASSED LEGISLATION WHICH WOULD "LEGITIMIZE" SEIZURES OF FOREIGN PROPERTY SINCE LAST YEAR'S EVENTS.

F. (1) FEW COMPANIES OR AMCITS FILING WITH EMBASSY INTERESTED UNDER PRESENT POLITICAL CONDITIONS IN RESUMPTION OF OPERATIONS/REOCCUPATION OF HOMES. FEW COMPANIES OR AMCITS ARE KEEN TO SEEK CONTACTS WITH TURKISH ADMINISTRATION. NOTE IN ADDITION THAT ENTRY TO NORTH FROM SOUTH FOR PERSONS ARRIVING VIA GOC APPROVED POE'S NOT POSSIBLE EXCEPT FOR DIPLOMATIC PERSONNEL. PRIVATE COMPANY REPRESENTATIVES OR AMCITS WISHING TO HAVE DIRECT CONTACT WITH TURKISH AUTHORITIES MUST ENTER NORTH THROUGH NORTHERN POE'S (ERCAN AIRPORT, FAMAGUSTA OR KYRENIA HARBORS). THIS BARS THEM FROM SUBSEQUENTLY VISITING SOUTH.

(2) EMBASSY HAS NOT BEEN PRESSED TO ASSERT CLAIMS AS OPPOSED TO REQUEST FOR PROPERTY PROTECTION BUT COMPANIES AND PRIVATE CITS ASSUME FILING LAYS BASIS FOR COMPENSATION. CONGRESSIONAL INTEREST COMMUNICATED DIRECTLY TO EMBASSY HAS BEEN MODEST.

G. 28)) END BY PRIORITY CABLE OR POUCH OFFICIAL TXSC DOCUMENTS AS AVAILABLE REGARDING CONTROL AND ADMINISTRATION, APPROPRIATION AND EVALUATION INCLUDING TFSC LAW REFERRED TO IN PARA 1E

ABOVE.

2. WITH REGARD TO REFTTEL PARA 2, EMBASSY SUPPORTS DEPARTMENT CONCLUSION THAT SEIZURES AND EXPROPRIATIONS HAVE INDEED TAKEN PLACE. IT IS THE EMBASSY'S OPINION THAT APPLICATION OF SEC. 502 (B) (4) WOULD REQUIRE CONCLUSION THAT NO PRESIDENTIAL DETERMINATION CAN BE MADE TO EFFECT THAT "PROMPT, LIMITED OFFICIAL USE

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ADEQUATE, AND EFFECTIVE COMPENSATION HAS BEEN OR IS BEING MADE" TO CITIZENS WHOSE PROPERTIES HAVE BEEN "NATIONALIZED, EXPROPRIATED, OR OTHERWISE SEIZED." FURTHER, WE DO NOT FIND EVIDENCE THAT "GOOD FAITH NEGOTIATIONS TO PROVIDE PROMPT, ADEQUATE, AND EFFECTIVE COMPENSATION... ARE IN PROGRESS". HAVING SAID THE FOREGOING, REALIZING THAT ALL SUCH NEGOTIATIONS WILL HAVE TO AWAIT BROAD POLITICAL SOLUTION TO CYPRUS PROBLEM.

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## Message Attributes

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**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TRADE LAW, NEGOTIATIONS, PROPERTY WAR CLAIMS  
**Control Number:** n/a  
**Copy:** SINGLE  
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**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** CunninFX  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
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**Enclosure:** n/a  
**Executive Order:** N/A  
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**Office:** ACTION L  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**Page Count:** 3  
**Previous Channel Indicators:** n/a  
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**Reference:** 75 STATE 225697  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** CunninFX  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 07 MAY 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <07 MAY 2003 by ShawDG>; APPROVED <29 SEP 2003 by CunninFX>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
06 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** GSP ELIGIBILITY AND OUTSTANDING TRADE ACT 502 (B) (4) CASES  
**TAGS:** CPRS, PFOR, CY, TU, US  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006